## Before the FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

MM Docket No. 91-10 In re Applications of File No. BPH-891214MM WHITE BROADCASTING PARTNERSHIP et al.

For Construction Permit for a New FM Station Station on Channel 289A in Baldwin, Florida

RECEIVED

Hon. Edward Luton, Administrative Law Judge To:

DEC 3 0 1991

Federal Communications Commission PETITION FOR LEAVE TO AMEND AND AMENDMENT Office of the Secretary

Peaches Broadcasting, Ltd., ("Peaches") by counsel, respectfully petitions to amend its application to report that on October 15, 1991, the following issue was designated against the application of McCoy Communications Limited Partnership ("McCoy"):

> To determine whether Ragan Henry had the ability to fulfill his financial commitment to McCoy Communications Limited Partnership, as well as his then-outstanding financial commitments to other broadcast applicants, and, if not, the effect thereof on the financial qualifications of McCoy Communications Limited Partnership.

See MO&O, FCC 91M-3079 (released October 15, 1991).

The issue relates to the role of Ragan Henry, a nonparty lender/quarantor to the original limited partner of McCoy, Waldron Broadcasting Company. On March 23, 1991, United Communications, Inc. ("UCI") replaced Waldron as McCoy's limited partner. UCI is also Peaches' limited partner. Neither Ragan Henry nor Waldron have or ever have had any connection to UCI or to Peaches.

No. of Copies rec'd  $O+ \bigcirc$ 

Through an oversight of counsel, this Amendment is submitted late. It is submitted now in substantial compliance with \$1.65, and it should be accepted to keep the application current. See Erwin O'Conner Broadcasting Co., 22 FCC2d 140, 143 (Rev. Bd. 1970).

Respectfully submitted,

David Honig

1800 N.W. 187th Street

Miami, Florida 33056

(305) 628-3600

Counsel for Peaches Broadcasting, Ltd.

Dated: 12/30/9/

## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In re Applications	of	)	MM Docket No. 91-10
WHITE BROADCASTING et al.	PARTNERSHIP	)	File No. BPH-891214MM

For Construction Permit for a New FM Station Station on Channel 289A in Baldwin, Florida

RECEIVED

To: Hon. Edward Luton, Administrative Law Judge

DEC 3 0 1991

## **AMENDMENT**

Federal Communication Judinission Office of the Secretary

The application of Peaches Broadcasting, Ltd. is hereby amended to report that on October 15, 1991, the following issue was designated against the application of McCoy Communications Limited Partnership ("McCoy"):

To determine whether Ragan Henry had the ability to fulfill his financial commitment to McCoy Communications Limited Partnership, as well as his then-outstanding financial commitments to other broadcast applicants, and, if not, the effect thereof on the financial qualifications of McCoy Communications Limited Partnership.

See MO&O, FCC 91M-3079 (released October 15, 1991).

The issue relates to the role of Ragan Henry, a nonparty lender/guarantor to the original limited partner of McCoy, Waldron Broadcasting Company. On March 23, 1991, United Communications, Inc. ("UCI") replaced Waldron as McCoy's limited partner. UCI is also Peaches' limited partner. Neither Ragan Henry nor Waldron have or ever have had any connection to UCI or to Peaches.

I declare under penalty of perjury that the information stated above is true to the best of my knowledge and belief.

Executed 24Dec 9/.

Frederick Matthews

## CERTIFICATE OF SERVICE

I, David Honig, this 30<sup>th</sup> day of December, 1991, hereby certify that I have caused to be placed in U.S. First Class Mail, postage prepaid, the foregoing "Petition for Leave to Amend and Amendment" addressed to the following:

Hon. Edward Luton
Administrative Law Judge
Federal Communications
Commission
2000 L Street N.W.
Washington, D.C. 20554

Y. Paulette Laden, Esq. FCC Hearing Branch 2025 M Street N.W. #7212 Washington, D.C. 20554

Charles Cecil White and Dianna White d/b/a White Broadcasting Partnership 707 Newport Street Macclenny, FL 32063

Arthur V. Belendiuk, Esq. Smithwick & Belendiuk 2033 M Street N.W. Washington, D.C. 20036 Counsel for Johnson

James L. Winston, Esq. Rubin, Winston, Diercks & Harris 1730 M Street N.W. #412 Washington, D.C. 20036 Counsel for Northeast Avelino G. Halagao, Esq. 7799 Leesburg Pike #900 Falls Church, VA 22043 Counsel for JEM

David Honig